

Deposition of Michael Carrick

**Oregon Firearms Federation, Inc., et al. v. Kotech, et al.
(Consolidated)**

March 22, 2023



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IN THE UNITED DISTRICT COURT
DISTRICT OF OREGON
PENDLETON DIVISION

| | | |
|---------------------------------|---|----------------------|
| OREGON FIREARMS FEDERATION, |) | No. 2:22-cv-01815-IM |
| INC., et al., |) | 3:22-cv-01859-IM |
| |) | 3:22-cv-01862-IM |
| Plaintiffs, |) | 3:22-cv-01869-IM |
| |) | |
| v. |) | |
| |) | |
| TINA KOTEK, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |
| and |) | |
| |) | |
| OREGON ALLIANCE FOR GUN SAFETY, |) | |
| |) | |
| Intervenor-Defendant. |) | |
| |) | |
| Caption continues.... |) | |

VIDEOTAPED VIDEOCONFERENCE DEPOSITION
OF
MICHAEL CARRICK

9:03 a.m.

(All participants appeared via videoconference.)

DATE TAKEN: MARCH 22, 2023

REPORTED BY: CRYSTAL R. McAULIFFE, RPR, CCR 2121

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1 Caption continued...)
2 MARK FITZ, et al.,)
3 Plaintiffs,)
4 v.)
5 ELLEN F. ROSENBLUM, et al.,)
6 Defendants.)
7 _____)
8 KATERINA B. EYRE, et al.,)
9 Plaintiffs,)
10 v.)
11 ELLEN F. ROSENBLUM, et al.,)
12 Defendants.)
13 _____)
14 DANIEL AZZOPARDI, et al.,)
15 Plaintiffs,)
16 v.)
17 ELLEN F. ROSENBLUM, et al.,)
18 Defendants.)
19 _____)
20
21
22
23
24
25

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A P P E A R A N C E S

FOR PLAINTIFF OREGON FIREARMS FEDERATION, INC.:

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THE VIDEOGRAPHER: Coleman J. Andersen

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VIDEOCONFERENCE DEPOSITION OF MICHAEL CARRICK

EXAMINATION INDEX

MARCH 22, 2023

| EXAMINATION BY | PAGE |
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| Mr. Williamson | 91 |
| Mr. Jindal | 95 |

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1 America because I haven't looked into that.

2 Q. When you say there were repeating rifles known
3 in America in 1791, what do you mean by that?

4 A. I didn't say that they were known in America.

5 They were known to collectors back to the --
6 about the 1740s, there existed repeating rifles at least
7 in England. As far as -- all I know about America is
8 the one I'm familiar with as the Girardoni.

9 Q. So the only repeating rifle that you know of
10 being in existence in America, in say -- let's say, the
11 10-year period around 1791 is the single Girardoni rifle
12 that we're here to discuss today?

13 A. Yes.

14 Q. Do you think that repeating guns were
15 commonplace in America in 1791?

16 A. No.

17 Q. Is it safe to say that most Americans wouldn't
18 have ever seen a repeating gun in 1791?

19 A. That's correct.

20 Q. And in your declaration on paragraph 18, on
21 page 7, you describe Meriwether Lewis using the
22 Girardoni rifle to astonish Indians and conclude -- and
23 I'm just going to quote it here.

24 "Anyone in America in 1803 would be astonished
25 to see a rifle that could fire 20 projectiles in

1 one minute without reloading."

2 Why would a repeating rifle be astonishing to
3 anyone in America in 1803?

4 A. Because there are very few people that know they
5 exist.

6 Q. And do very few people know they exist in large
7 part because they just aren't readily available in
8 America at that time?

9 A. Due to the scarcity of it, I would say, yes,
10 they were not readily available.

11 Q. You said due to scarcity?

12 A. Yes. Due to the scarcity in the world.

13 Q. Understood.

14 To the best of your knowledge, was the
15 Girardoni-style air rifle sold commercially in America
16 in 1791?

17 A. It was not.

18 Q. Would it be fair to estimate not more than 10
19 repeating guns of thereabouts existed in America in
20 1791?

21 A. Well, I have no specific knowledge on that, but
22 I would suspect you're correct.

23 Q. Yeah. Do you think that the number would be
24 significantly lower than ten, maybe even single digits?

25 A. I don't know.

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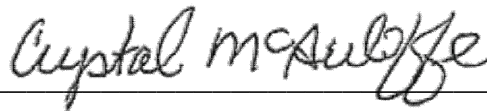
C E R T I F I C A T E

STATE OF WASHINGTON)
) ss.
COUNTY OF KITSAP)

I, CRYSTAL R. McAULIFFE, a Certified Court Reporter in and for the State of Washington, do hereby certify that the foregoing transcript of the videoconference deposition of MICHAEL CARRICK, having been duly sworn on MARCH 22, 2023, is true and accurate to the best of my knowledge, skill and ability.

Reading and signing was not requested pursuant to FRCP Rule 30(e).

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3rd day of April, 2023.



CRYSTAL R. McAULIFFE, RPR, CCR #2121